



Disclosure (Scotland) Act 2020

2020 asp 13

PART 1

DISCLOSURE OF CRIMINAL HISTORY AND OTHER INFORMATION

Level 1 disclosures

3 Applications by accredited bodies on behalf of individuals

- (1) An accredited body may make an application under section 2 on behalf of an individual.
- (2) An application by an accredited body on behalf of an individual may be made only with the consent of the individual.
- (3) The Scottish Ministers must not consider any such application that does not comply with subsection (2).
- (4) Where an application under section 2 is made by an accredited body on behalf of an individual, the individual is to be treated for the purposes of this Part as the applicant and, accordingly, any Level 1 disclosure provided as a result of the application is to be provided to the individual.
- (5) Subsection (4) is subject to section 4.
- (6) The Scottish Ministers may refuse to provide a Level 1 disclosure to an individual under section 2(1) where—
 - (a) the application for the disclosure is made on behalf of the individual by an accredited body, and
 - (b) the Scottish Ministers consider that the accredited body or its lead signatory or countersignatory has failed to comply with the code of practice published under section 55.